

ARTICLE B. - SEWER USE, CONNECTIONS

SECTION:

FOOTNOTE(S):

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225 ILCS 225/1 et seq.† 415 ILCS 5/1 et seq.

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See Title 5, Chapter 1 of this Code.

8-2B-1: - DEFINITIONS:

BOD:	(Denoting Biochemical Oxygen Demand) The quantity of oxygen utilized in biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at twenty degrees Celcius (20° C.), expressed in milligrams per liter.
BUILDING DRAIN:	That part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer or other approved point of discharge, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
BUILDING SEWER:	The extension from the building drain to the public sewer or other place of disposal.
EFFLUENT CRITERIA:	Defined in any applicable NPDES permit.
FLOATABLE OIL:	Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.
GARBAGE:	Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
INDUSTRIAL WASTE:	Any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process or from the development, recovery or processing of any natural resource as distinct from sanitary sewage.

MILLIGRAMS PER LITER:	A unit of the concentration of water or wastewater constituent. It is 0.001 g of the constituent in one thousand (1,000) ml of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.
NATURAL OUTLET:	Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.
pH:	The logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in "Standard Methods".
ppm:	Parts per million by weight.
PERSON:	Any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.
POPULATION EQUIVALENT:	A term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is one hundred (100) gallons of sewage per day, containing seventeen-hundredths (0.17) pounds of BOD or twenty-two hundredths (0.22) pounds of suspended solids.
PRETREATMENT:	The treatment of wastewaters from sources before introduction into the sewerage works.
PROPERLY SHREDDED GARBAGE:	The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half-inch (1.27 centimeters) in any dimension.
PUBLIC SEWER:	A sewer provided by or subject to the jurisdiction of the City. It shall also include sewers within or outside the City boundaries that serve one or more persons and ultimately discharge into the City sewers, even though those sewers may not have been constructed with City funds.
SANITARY SEWER:	A sewer that conveys sewage or industrial wastes or a combination of both, and into which storm, surface and groundwaters or unpolluted industrial wastes are not intentionally admitted.
SEWAGE:	Used interchangeably with "wastewater".

SEWER:	A pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and groundwater drainage.
SEWERAGE WORKS:	The system of sewers and appurtenances for the collection, transportation, pumping and treatment of wastewater and discharge of effluent.
SLUG:	Any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average 24-hour concentration of flows during normal operation.
STANDARD METHODS:	The examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater" published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.
STORM SEWER:	A sewer that carries storm, surface and groundwater drainage but excludes sewage and industrial wastes other than unpolluted cooling water.
STORMWATER RUNOFF:	That portion of the precipitation that is drained into the sewers.
SUSPENDED SOLIDS:	Solids that either float on the surface of, or are in suspension in water, sewage or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in "Standard Methods".
UNPOLLUTED WATER:	Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
WASTEWATER:	The spent water of a community. From this standpoint of course, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, together with any ground water, surface water, and storm water that may be present.
WASTEWATER FACILITIES:	Synonymous with "sewerage works".
WASTEWATER	An arrangement of devices and structures for treating wastewater, industrial

TREATMENT WORKS:	wastes and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "pollution control plant".
WATER QUALITY STANDARDS:	Defined in the water pollution regulations of Illinois.
WATERCOURSE:	A channel in which a flow of water occurs, either continuously or intermittently.

(Ord. 79-127, 10-15-1979)

**8-2B-2: - CONNECTION TO SEWER SYSTEM REQUIRED:**

The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the City and abutting on any street, alley, easement or right-of-way in which there is now located or may in the future be located any public sanitary sewer of the City, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Article, within ninety (90) days after date of official notice to do so.

(Ord. 79-127, 10-15-1979)

**8-2B-3: - PRIVATE SEWAGE DISPOSAL SYSTEMS:**

1. Connection To Private Disposal System: Where a public sanitary sewer is not available, and a variance from the construction of a sanitary sewer has been granted by the City Council pursuant to Section 5-2A-1 of this Code, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.

(Ord. 79-127, 10-15-1979)

2. Permit Required; Fee: Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Director of the Department of Public Utilities. The application for such permit shall be made on a form furnished by the said Director, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the said Director. A permit and inspection fee of fifty dollars (\$50.00) shall be paid to the City at the time the application is filed.
3. Inspection Of Work: A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Director of the Department of Public Utilities. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the said Director when the work is ready for final inspection, and before any underground portions are covered.

(Ord. 79-127, 10-15-1979; amd. Ord. 92-137, 7-21-1992)

4. Compliance With State Regulations: The type, capacities, location and layout of a private sewage disposal system shall comply with all recommendations of the State of Illinois Private Sewage Disposal Licensing Act <sup>[4]</sup> and Code and with the State of Illinois Environmental Protection Agency†, and the ordinances of the county in which said system is to be constructed. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
5. Abandonment Of Private System: At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 8-2B-2 of this Article, a direct connection shall be made to the public sewer in compliance with this Article, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.
6. Sanitary Maintenance: The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, and at no expense to the City.
7. Additional Requirements: No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the county in which said system is to be constructed.

(Ord. 79-127, 10-15-1979)

#### **8-2B-4: - BUILDING SEWERS:**

1. Classes Of Permits; Application; Fees: There shall be two (2) classes of building sewer permits: 1) for residential and commercial service, and 2) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a form furnished by the City. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Director of the Department of Public Utilities. Connection and inspection fees as established by this Code shall be paid to the City at the time the application is filed. All nonresidential applicants shall, as a condition of permit authorization, provide information describing its wastewater constituents, characteristics and type of activity.

(Ord. 79-127, 10-15-1979; amd. Ord. 92-137, 7-21-1992)

2. Condition For Issuance: A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sewers, pump stations and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.
3. Costs Borne By Owner: All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
4. Separate Sewer For Each Building: A separate and independent building sewer shall be provided for every building.
5. Old Building Sewers: Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the City, to meet all requirements of this Article.

(Ord. 79-127, 10-15-1979)

6. Construction Specifications: The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing codes <sup>[5]</sup> or other applicable rules and regulations of the City. In the absence of code provisions or in application thereof, the materials and procedures set forth in appropriate specifications of the American society of testing materials, "Water Pollution Control Federation Manual Of Practice No. 9", "Standard

Specifications For Water And Sewer Main Construction In Illinois", 1973 edition, and the "Naperville Design Manual For Public Improvements", as amended from time to time, shall apply, three (3) copies of each being on file in the office of the City Clerk, and which are hereby adopted by reference.

(Ord. 02-137, 6-4-2002)

7. Elevation: Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means which is approved in accordance with this Article, and discharged to the building sewer.
8. **Roof Downspouts Prohibited:** No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
9. **Connection To Public Sewer:** The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing codes, other applicable rules and regulations of the City, and the procedures set forth in appropriate specifications of the American society of testing materials, "Water Pollution Control Federation Manual Of Practice No. 9", and "Standard Specifications For Water And Sewer Main Construction In Illinois". All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the City before installation.
10. Inspection: The applicant for the building sewer permit shall notify the City when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the City or its representative.
11. Excavations: All excavations for building sewer installation shall be adequately guarded with barricades and lights as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

(Ord. 79-127, 10-15-1979)

12. **Responsibility For Maintenance And Repair:** The lot owner shall be responsible for all normal maintenance and repair of the building sewer. This responsibility includes that portion of the sanitary service line between the lot line and the City's sanitary sewer main.
  - 12.1. The Department of Public Utilities (DPU) will share fifty percent (50%) of the cost with the property owner for an additional right-of-way (ROW) rodding after the lot owner has paid for one ROW rodding in the same 12-month period.
  - 12.2. The DPU will pay one hundred percent (100%) of the cost for additional right-of-way (ROW) roddings after two (2) ROW roddings in the same 12-month period.
  - 12.3. To qualify for City cost sharing, all roddings must be performed by a licensed plumber and evidenced by written documentation and invoices in accordance with DPU policy.
  - 12.4. The DPU will be responsible for the total cost of repairs to the sanitary service line in the ROW where a certified plumber is not able to break through a blockage, if there are structural problems with the sanitary service line, or where the service line requires rodding more than two (2) times in two (2) or more consecutive years.

(Ord. 92-234, 12-15-1992)

8-2B-5: - STREET EXCAVATIONS:

1. Permit Required: No person shall dig, excavate or cause to be dug or excavated within, through or under any street, alley, sidewalk or public highway within the City, for any purpose under this Article, without first obtaining a permit therefor from the City Engineer, and all permits hereafter issued to dig or excavate in any alley, street, sidewalk or public highway, for the purpose of laying down or repairing any sewer pipe whatsoever, or any connection with any public or district sewer or drain shall only authorize such work to be done by or under the direction of those holding certificates permitting same and who have complied with the provisions of this Article.

(Ord. 02-137, 6-4-2002)

2. Application For Permit: All applications for permits provided for in the preceding Subsection shall be signed by the owner desiring same or his duly authorized agent, and shall state in plain terms the object of such permit; the time, location and completion of the work mentioned therein; and the name, address and bond number of the plumber. No such plumber shall do more work than is authorized in said permit, but in case of additional work, must obtain another permit from the City Engineer authorizing same. Permits are not transferable.

(1960 Code, §12.102; amd. Ord. 50.61, 12-4-1961)

3. Red Lights And Barricades: All trenches in public streets and alleys shall be protected at night with substantial barricades at least three (3) feet high. A red light shall be placed at the end of the trench or obstruction and kept brightly burning from sunset to sunrise, and be so placed that the light shall shed its rays upon such trench or obstruction. The City Engineer may, in his discretion, prescribe rules and conditions to be followed and performed, as may be necessary for the safety of the street, alley, sidewalk or sewer, through or with which a permit be issued to excavate or connect.

(Ord. 02-137, 6-4-2002)

**8-2B-6: - WASTE DEPOSITS PROHIBITED:**

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City or in any area under the jurisdiction of the City, any human or animal excrement, garbage or other objectionable waste.

(Ord. 79-127, 10-15-1979)

**8-2B-7: - DISCHARGE OF SEWAGE, POLLUTED WATERS:**

It shall be unlawful to discharge to any natural outlet within the City, or in any area under the jurisdiction of the City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this Article.

(Ord. 79-127, 10-15-1979)

**8-2B-8: - PRIVIES, SEPTIC TANKS PROHIBITED:**

Except as herein provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

(Ord. 79-127, 10-15-1979)

8-2B-9: - STORM WATER DISCHARGES:

1. **Storm Water Discharged To Sanitary Sewer Prohibited:**

- 1.1. No person shall discharge, or allow to be discharged, any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.
- 1.2. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the City. Industrial cooling water or unpolluted process waters may be discharged on approval of the City, to a storm sewer or natural outlet.

(Ord. 79-127, 10-15-1979)

2. Storm Water System: It shall be unlawful for any person to connect or cause to be connected with the storm water drain system of the City, any drain carrying, or to carry, any toilet, sink, basement, septic tank, cesspool, industrial waste, or any fixture or other device discharging polluting substances, or to cause or permit to be discharged into the storm water system of the City, any sanitary sewage, industrial waste, or any other polluting substance.

(1960 Code, §12.119)

8-2B-10: - PROHIBITED DISCHARGES:

No person shall discharge or allow to be discharged any of the following described waters or wastes to any public sewers:

1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
2. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.
3. Any waters or wastes having a pH lower than five and five-tenths (5.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewerage works.
4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewerage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, either whole or ground by garbage grinders.

(Ord. 79-127, 10-15-79)

8-2B-11: - HARMFUL WASTES:

No person shall discharge or allow to be discharged the following described substances, materials, waters or wastes if the Director of the Department of Public Utilities shall determine



that such wastes are harmful to either the sewers, wastewater treatment process, or equipment of sewerage works; have an adverse effect on the receiving stream; or otherwise endanger life, limb, public property, or constitute a nuisance. In making such determination as to the acceptability of these wastes, the Director of the Department of Public Utilities shall give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the wastewater treatment process, capacity of the wastewater treatment plant, degree of treatability of wastes in the wastewater treatment plant, and maximum limits established by regulatory agencies. Any such determination may be appealed to the City Council by any person affected by such determination. The decision of the City Council on such appeal shall be final. The substances prohibited are:

(Ord. 79-127, 10-15-79; amd. Ord. 92-137, 7-21-92)

1. Any liquid or vapor having a temperature higher than one hundred fifty degrees (150°) Fahrenheit (65° C.).
2. Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two degrees (32°) and one hundred fifty degrees (150°) Fahrenheit (0° and 65° C.).
3. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths' (¾) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the City.
4. Any waters or wastes containing iron pickling wastes, or concentrated plating solutions whether neutralized or not.
5. Any waste at any time containing more than the maximum concentration in milligrams per liter of any substance shown in the following table:

Arsenic (total)	0.50
Barium (total)	5.00
Cadmium (total)	0.30
Chromium (total triv.)	3.00
Chromium (total hexav.)	0.60
Copper (total)	2.00
Cyanide	0.50
Iron (total)	5.00

Lead (total)	0.25
Manganese (total)	2.00
Mercury (total)	0.0005
Nickel (total)	2.00
Phenols	0.60
Selenium (total)	2.00
Silver (total)	0.10
Zinc (total)	2.00

6. Any waters or wastes containing taste or odor-producing substances.
7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by applicable State or Federal regulations.
8. Any waters or wastes having a pH in excess of nine and five-tenths (9.5).
9. Materials which exert or cause:
  - 9.1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurries, and limit residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);
  - 9.2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);
  - 9.3. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment works;
  - 9.4. Unusual volume of flow or concentrations of wastes constituting "slugs" as defined herein.
10. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.

(Ord. 79-127, 10-15-1979)

#### 8-2B-12: - DECLARATION OF NUISANCE; REMEDIES:

If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in this Article,

which are in violation of the standards for pretreatment set forth in the "General Pretreatment Regulations for Existing and New Sources of Pollution" published in the federal register, volume 43, number 129 on June 26, 1978, or which are in violation of the standards for pretreatment provided in Chapter 1, EPA rules and regulations, Subchapter D, water programs part 128 — pretreatment standards, federal register volume 38, no. 215, Thursday, November 8, 1973, and any amendments thereto, and which may have a deleterious effect upon the sewerage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the City may:

1. Reject the wastes;
2. Require pretreatment to an acceptable condition for discharge to the public sewers;
3. Require control over the quantities and rates of discharge; and/or
4. Require payment to cover the added costs of handling and treating such wastes under the provisions of this Article.

If the City permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the City and subject to the requirements of all applicable codes, ordinances and laws.

(Ord. 80-109, 10-20-1980)

#### 8-2B-13: - REQUIRED TREATMENT AND CONTROL FACILITIES:

1. Grease, Sand Interceptors: Grease, oil and sand interceptors shall be provided when they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the City and shall be located as to be readily and easily accessible for cleaning and inspection.
2. Preliminary Treatment Facilities: Where preliminary treatment or flow equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
3. Control Manhole: Each industry shall be required to install a control manhole and, when required by the City, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the City. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

(Ord. 79-127, 10-15-1979)

#### 8-2B-14: - TESTS, ANALYSES OF WASTES:

1. The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests and analyses of waters and wastes to illustrate compliance with this Article and any special conditions for discharge established by the City or regulatory agencies having jurisdiction over the discharge. The number, type and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the City, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that

compliance with the federal, State and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the City at such times and in such manner as prescribed by the City. The owner shall bear the expense of all measurements, analyses and reporting required by the City. At such times as deemed necessary, the City reserves the right to take measurements and samples for analysis by an outside laboratory service.

2. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Article shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analyses involved will determine whether a 24-hour composite of all outfalls of a premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas pHs are determined from periodic grab samples.

(Ord. 79-127, 10-15-1979)

**8-2B-15: - SPECIAL AGREEMENTS:**

No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefor, by the industrial concern, provided such payments are in accordance with federal and State guidelines for user charge system and industrial cost recovery system.

(Ord. 79-127, 10-15-1979)

**8-2B-16: - WASTEWATER SERVICE OUTSIDE CITY LIMITS:**

1. No building or other structure shall be connected to the City's wastewater system unless the parcel on which the building or structure is located is within the corporate limits of the City. Any exception to the requirement of mandatory annexation as a condition of the provision of service shall be subject to formal approval by the City Council.

(Ord. 01-225, 11-20-2001)

**8-2B-17: - DAMAGING SEWERAGE WORKS:**

No person shall maliciously, wilfully or negligently break, damage, destroy or tamper with any structure, appurtenance or equipment which is a part of the sewerage works.

(Ord. 79-127, 10-15-1979)

**8-2B-18: - RIGHT OF ENTRY; INSPECTION:**

The Director of the Department of Public Utilities and other duly authorized employees of the City, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Article. The Director of the Department of Public Utilities or his representative shall have no authority to inquire into any processes, including metallurgical, chemical, oil refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterway or facilities for waste treatment.

(Ord. 79-127, 10-15-1979; amd. Ord. 92-137, 7-21-1992)

**8-2B-19: - NONLIABILITY FOR DAMAGES:**

While performing the necessary work on private properties referred to in Section 8-2B-18 of this Article, the Director of the Department of Public Utilities or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in this Article.

(Ord. 79-127, 10-15-1979; amd. Ord. 92-137, 7-21-1992)

**8-2B-20: - PENALTY:**

1. Any person violating any provision of this Article, unless otherwise provided, shall be subject to a fine of not more than five hundred dollars (\$500.00) for each offense, and every day that such violation shall continue shall be deemed a separate and distinct offense.
2. In addition to the penalties set forth in Subsection 8-2B-20.1 of this Section, any person who shall damage any portion or component of the sewerage works of the City by violating any provision of this Article, or otherwise, shall be civilly liable to the City for such damage.

(Ord. 79-127, 10-15-1979)

CHAPTER 2  
MUNICIPAL WATER AND SEWER